

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 15-Cr-108-pp

RODNEY ROWSEY,

Defendant.

**ORDER DENYING LETTER REQUEST TO RECOMMEND THAT THE
DEFENDANT BE MOVED TO A FACILITY CLOSER TO MILWAUKEE
(DKT. NO. 509)**

On December 12, 2016, Rodney Rowsey pled guilty to one count of conspiracy to possess with the intent to distribute and to distribute cocaine and cocaine base. Dkt. No. 344. On May 12, 2017, the court sentenced the defendant to serve seventy months in prison, and Rowsey asked the court to recommend that the Bureau of Prisons place him in a facility as close to Milwaukee as possible, and to place him in a facility that provided the RDAP (Residential Drug Abuse) program. Dkt. No. 411. The judgment indicates that the court did just that. Dkt. No. 412 at 2.

On November 28, 2017, the court received a letter from Shanae Foxx, the mother of the defendant's son. Dkt. No. 509. Ms. Foxx indicated that the defendant currently is located in Leavenworth, Kansas, that he has been there "a couple months now and is not currently in any programs," that Ms. Foxx's mother recently passed away, and that it is even harder on her and on their

son to have the defendant so far away now that she has lost the support of her mother. Ms. Foxx asks if there is anything the court can do to facilitate moving the defendant closer to home, or anything the court can recommend. Id. Ms. Foxx also called chambers recently to advise that the defendant's father has passed away and to reiterate her request about moving the defendant closer to home.

Unfortunately, the court has done all it can by recommending that the Bureau of Prisons place the defendant as close to Milwaukee as possible and in a facility that has the RDAP program. The decision about where to house an inmate (and what programs to enroll him in) is completely within the discretion of the Bureau of Prisons. The BOP looks to many factors—the availability of beds, whether someone has drug treatment needs, the person's security classification, health issues—when it decides where to place an inmate, and it is not bound by the court's recommendation.

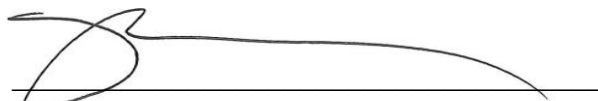
The court sympathizes with Ms. Foxx regarding the passing of her mother and the defendant's father. It realizes that this is an especially hard time for both Ms. Foxx and her son. While the court does not have the authority to order the Bureau of Prisons to move the defendant, or to place him in a particular facility, the court can advise Ms. Foxx that the Designation and Sentence Computation Center ("DSCC") of the Bureau of Prisons is the department that makes classification and designation decisions. Ms. Foxx can access information about classification and placement at https://www.bop.gov/inmates/custody_and_care/designations.jsp. The email

address for the Center is GRA-DSC/PolicyCorrespondence.bop.gov. The telephone number is (972) 352-4400. The mailing address is United States Bureau of Prisons Designation & Sentence Computation Center, U.S. Armed Forces Reserve Complex, 346 Marine Forces Drive, Grand Prairie, TX 75051. Ms. Foxx should include the defendant's full name and BOP inmate number in any correspondence with the Center.

The court **DENIES** the letter request from Shanae Foxx to recommend that Rodney Rowsey be moved to a facility closer to Milwaukee. Dkt. No. 509.

Dated in Milwaukee, Wisconsin this 21st day of December, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge